

FILED**01-12-2026****CLERK OF WISCONSIN
SUPREME COURT**

Supreme Court of Wisconsin

**NO. 2024AP1586****STATE V. MATTHEWS****L.C. #2016CF867**

January 12, 2026

The Court, by its Clerk and Commissioners, has entered the following order:

On January 7, 2026, this court received a document from Donna R. Matthews that the court has construed as a petition for review of the court of appeals' November 5, 2025 decision, which the court of appeals declined to review by order of December 2, 2025.

IT IS ORDERED that the petition for review is dismissed as untimely. Ms. Matthews' petition for review needed to be physically filed with the clerk of this court within 30 days of the court of appeals' decision on the motion for reconsideration. *See* WIS. STAT. §§ 808.10(2), 809.62(1m), 809.80, and *First Wis. Nat'l Bank of Madison v. Nicholau*, 87 Wis. 2d 360, 274 N.W.2d 704 (1979). Ms. Matthews filed her petition outside of this time period, making it untimely. Although Ms. Matthews is confined at Taycheedah Correctional Institution, the prison mailbox rule does not apply to her filing because the return address on the envelope in which it arrived shows that it was not mailed from within the prison system, and because the envelope was not properly addressed to the clerk of this court. *See* Wis. Stat. § 808.10(1); *see also State ex rel. Nichols v. Litscher*, 2001 WI 119, ¶27, 247 Wis. 2d 1013, 635 N.W.2d 292 (tolling does not occur until prisoner has placed properly addressed materials that comply with relevant filing requirements into the possession of prison officials).

Samuel A. Christensen
Clerk of Supreme Court

Distribution List:

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